

MINUTES OF THE MEETING OF THE MIDLAND CITY PLANNING COMMISSION,
WHICH TOOK PLACE ON TUESDAY,
AUGUST 28, 2007, 7:00 P.M.,
COUNCIL CHAMBERS, CITY HALL, MIDLAND, MICHIGAN

1. Roll Call

PRESENT: Brown, Eyre, Gaynor, Hanna, Kozakiewicz, Mead, Senesac and Svenson

VACANCY: One

ABSENT: None

OTHERS PRESENT: Keith Baker, Director of Planning & Community Development, Daryl Poprave, Deputy Planning Director; Cheri King, Community Development Specialist, and 13 others.

2. Approval of Minutes

Commissioner Hanna requested the minutes include a reference to the discussion regarding staff notifying Ingersoll Township regarding their comments regarding the Master Plan.

Moved by Mead, seconded by Brown, to approve the minutes of the regular meeting of August 14, 2007 as corrected.

3. Public Hearing

- a. Site Plan No. 263 from MSARI Holdings, LLC** – a request for site plan review and approval for a 5,800 square foot proposed industrial manufacturing building at 1905 Mark Putnam Road.

Mr. Poprave showed an aerial photograph showing the subject property. It is located east of South Saginaw Road and north of Mark Putnam Road and west of Corning Lane. To the west are operations of the Dow Chemical Company and to the south is a portion of the Dow Corning plant. The property is surrounded by Industrial B to the west and south, Industrial A to the north and Industrial A & B to the east. There is also some high density residential in this area. MSARI Holdings is proposing to build a 5,800 square foot building on 1.6 acres of land. Site Plan Review is triggered by a curb cut for this site. The site is currently undeveloped. The proposed landscaping far exceeds the requirements of the zoning ordinance by a 2/1 ratio. The plan shows that they will be preserving at least 15 trees on the site. In Industrial B, they are required to maintain a 25 foot front yard setback. There are some residential units located to the north of this property. They are legal non-conforming and they are used as rentals. There is no screening required because these houses are not located

in a residential district. There is dense vegetation to the north of this property, which should screen these buildings anyway. There is no sidewalk proposed on this property. This is not a residential area. Eight parking spaces are required and 12 spaces are proposed. This is more than 20 percent of the minimum required spaces. In addition, parking in industrial areas can be gravel surfaces, however this site plan shows the parking lot as paved. The storm water plan has been submitted to the Engineering Department. Exterior lighting seems to adhere to the ordinance. Adequate utilities exist to serve this site. There will be no dumpster outside the building. Any signage must adhere to the zoning ordinance. The contingencies noted are the standard contingencies.

Bonnie Ziegler, of MSARI Holdings, spoke on behalf of the petitioner. They provide venting and fixtures for chemistry labs. They are a licensed mechanical ductwork contractor. They have several patents and some of them are energy-saving patents. They have a plan to increase the size of their facility, which is the reason they would like to have the additional parking spaces. If their facility were to expand, it would be to the east, between the proposed building and the Lingle Drain, to the east of the parking area. The current number of employees for the building is seven. Seven parking plus one handicap space means they would need eight spaces. They also have a demo trailer that they would like to park up by the building. They have very few visitors that come and go during the day.

No one spoke either in favor of or in opposition to this rezoning request and no comments, either written or oral, have been received by the Planning Department.

- b. Site Plan No. 265 from Bartow & King Engineers, Inc. –** a request for site plan review and approval for a 12,800 square foot proposed Fitness Park at 601 East Wackerly Street.

Mr. Baker presented an aerial photograph showing the property is located on the north side of East Wackerly Street. It is directly south of US-10 and just east of the Jefferson and Wackerly intersection. The large green building in the aerial photograph is the Midland Tennis Center. The property is zoned RC, Regional Commercial. There is Community zoning to the north and southeast, regional commercial to both the east and west of the property and single family and high density residential to the south. The current master plan shows this area as General Commercial, Community to the south and General Commercial to both the east and west. The site plan is being referenced as a fitness park. It is a permitted use within the Regional Commercial zoning classification. Site characteristics are consistent with the current development along Wackerly Street. Landscaping is required in accordance with Article VI of the zoning code. They have shown the inclusion of 19 trees and 82 shrubs. Because of the frontage along Wackerly Street, the majority of the landscaping has been identified along the Wackerly frontage. The project meets the setback requirements of a Regional Commercial district. The visibility of natural features include overgrown trees and grasses. Emergency vehicle access is adequate, gained from a single drive approach. There is a circulation pattern that flows all around the property and then back out the driveway. This property does require public sidewalk and it will be installed. There were two contingencies identified in the staff report, but these have been addressed prior to tonight. This type of use requires a significant amount of parking and they have identified 100 parking stalls. This would meet our code as determined by the Building Department. They have submitted a photometric plan including the lighting to be provided for the parking lot. The site would accommodate all public services. No additional utilities need to be installed. There are no health or safety concerns noted. Staff recommends the site plan be approved, to include the five standard contingencies.

Mike Rybicki, Barto & King Engineers, represented the petitioners. Fitness Park is going to be home to the existing business “Smitty’s Iron Works”. They are aware of the contingencies mentioned by staff and they are in agreement with them.

Steve Graham, 3567 Oakbrook Drive, spoke in favor of this site plan. He uses Smitty’s and is definitely in favor of this development. No one spoke in opposition to this petition.

- c. **Site Plan No. 264 from MidMichigan Medical Center – Midland** – a request for site plan review and approval for a 67,000 square foot proposed addition to the Harlow Building at 4005 Orchard Drive. **(Public hearing postponed until September 11, 2007.)**

4. **Public Comments** (not related to agenda items)

None

5. **New Business**

- a. **City Council referral** – requested by Midland Community Center to

vacate George Street between State Street and Jefferson Avenue.

Mr. Baker showed an aerial photo of the area proposed for vacation. The property is located at the intersection of Jefferson Avenue and George Street. The hatched area on the map is the area requested by the petitioners to close or abandon. This street vacation has been referred to the Planning Commission by City Council for their input. The property is zoned Community. The rezoning of property along Jefferson is still before the City Council. The area that would be closed is George Street from Jefferson to State Street. The property on both the north and south sides of George Street is currently owned by the Midland Community Center. Mr. Baker showed a rendering of the proposed expansion of the Midland Community Center that would possibly occur with the street vacation in this area. Included with the staff report, there is an Engineering study that was done earlier this spring. This study shows numbers and traffic within this area that will be displaced if this street should be closed. Early on in the process was a discussion between City Council and the Community Center debating what the effect on traffic would be in this area. There are still two options on the table regarding either closing the street or re-routing it.

Bradd Maki, Assistant City Engineer, stated that when they did their traffic counts, they also looked at pedestrian movements. They did not notice anything significant as a result of the street closure. There were approximately 4800 vehicles going through this route in a 24-hour period. About 3200 vehicles utilized the Community Center

itself. The remaining 1600 vehicles are ones that would be displaced if the road were to be closed. Northbound movements generally continued on Carpenter to Rodd Street. The other traffic went down Carpenter Street to Haley and then down Haley Street to Jefferson Avenue. This was generally traffic that was going to turn onto Eastlawn Drive, going to Eastlawn School. Southbound traffic actually decreased. A lot of this traffic used Ashman Street. They also feel some of this traffic used Eastlawn and Nelson Streets to by-pass this area. There was an increase in traffic on North Street, which is a local street. The Engineering Department feels this would decline when people got used to the alternate routes on the main roads. The study was not intended to be able to make a recommendation. The study was intended to provide information to the City Council on the change in traffic patterns in this area. There have been no vehicle/pedestrian accidents in this area in the past five years. Mr. Maki did not have the information on vehicle-to-vehicle accidents.

Chris Tointon, CEO of the Greater Midland Community Centers, spoke on behalf of the petitioner. The main reason they want to close this street was due to the safety issue of their customers having to cross the street to utilize their facility. The proposed closure comes out to approximately 650 feet of roadway. They have done a lot of neighborhood work, as well as working with city staff on this project for quite some time. Initially, they did present choices including either closing the street or re-routing the street. In their discussions with City Council, the most logical option is the closure of the street. The neighbors in the surrounding area prefer the closure of the street. They have worked out the issues with Midland Public Schools to define alternate routes for their buses. They have 1.8 million crossings of George Street in a year. Almost 2/3 of those crossings are children. This would indicate a much greater hazard than in some other areas of the city. From a people impact, they have done a lot of investigation in the surrounding area. Re-routing adds cost. Street closure seems to be the most logical alternative. They serve 80 percent of the City of Midland residents and 60 percent of Midland County residents.

Stacie Tewari, from Rowe, Inc. stated there are no water or sanitary sewer lines in the area proposed for closure. The storm sewer lines would remain in place. The Fire Department expressed concern if this street is vacated. The Community Center has worked with the Fire Department to ensure they would have access to the building in the event of a fire. The Fire Department requested they add one additional hydrant to the west of the parking lot.

Bob Rathman, currently the Chairman of the operating Board at the Community Center, stated they have been working on this plan for a number of years. They feel this expansion will definitely make this a destination site in the City of Midland and they feel the safety of the street vacation will help to make this a reality.

Mr. Mead stated that closing George Street would appear to be the right thing to do. He is a little disappointed that the Planning Commission was not given information on the other alternatives. Ms. Brown, Mr. Kozakiewicz and Mr. Gaynor stated they are also going to support the street closure. Mr. Eyre stated this is a good plan and he is in favor of the vacation of the street. Ms. Hanna stated she is usually not in favor of vacating streets without a very good reason. She feels they should have received information on both sides of the question. Mr. Senesac stated he has a problem with the safety argument. If we look at this only as a safety issue, it would not receive a second glance. There are a lot of places around town that are a lot worse than this. If you go by the Dow Diamond after a Loons' game, the traffic is much worse than this. The one good reason to close it is to give the Community Center a campus atmosphere. People are only aware of it because the street was closed for three weeks. There has been no notice given about this issue to the surrounding neighborhood. Ms. Svenson agrees with Mr. Senesac. She stated that most of the time traffic stops for pedestrians. She does not hear a lot of people speaking against the closure of the street.

Motion by Eyre, seconded by Gaynor, to recommend approval of the closure of George Street. Motion passed 8/0.

b. 2008 Meeting Schedule

Motion by Mead, seconded by Hanna, to approve the proposed 2008 meeting schedule. Motion passed 8/0.

6. Old Business

- a. Site Plan No. 261 for Communications Family Credit Union** – a request for site plan review and approval for a 6,369 square foot proposed building located at 100 Joseph Drive on 2.04 acres.

Mr. Poprave reviewed the site location, it is north of the Midland Soccer Club, west of the Village at Joseph's Run and east of Chemical Bank. The property is zoned Office Service, which permits financial institutions by right. It is zoned Office Service and surrounded on the north and east by Office Service. To the south is Community zoning, by the Midland Soccer Club. The site plan is under the 7,500 sq. ft. limit, but due to the introduction of two curb cuts, it triggered full site-plan review. Currently this site is a vacant site, largely devoid of vegetation. The proposed landscaping does meet the minimum criteria of the zoning ordinance. The building does exceed the height limitation of 28 feet and, therefore, requires an additional 12 feet of setback. The building has been setback an additional 18 feet. There is existing vegetation to the south, which will shield the soccer fields. Both curb cuts do comply with Section 3.10 of the zoning ordinance. Pedestrian sidewalks will be constructed on the west side of the site. 34 parking spaces are required and 38 spaces have been provided. Each drive-up window has adequate stacking spaces. Storm water management plans have been submitted to the Engineering Department. Underground detention has been proposed for this site. The dumpsters have been screened in accordance with the zoning ordinance. Signs are very small, but they meet the criteria of the zoning ordinance. Contingencies are the standard ones, including the box style striping of parking lots, and the storm water detention areas meet Engineering standards.

Al Vector spoke on behalf of the petitioner. This is a straight-forward project and they feel they have met all the criteria the city wanted.

Mr. Senesac stated he feels this meets all the criteria. He is in favor of this, but he wishes the drive was not onto Jefferson Avenue. He feels the Planning Commission needs to be careful that Jefferson does not become a series of driveways. The remaining Planning Commissioners stated they agree with Mr. Senesac. This plan is a good one and they are in favor of the site plan.

It was moved by Hanna and seconded by Kozakiewicz to recommend City Council approval of Site Plan No. 261 based upon the following

contingencies:

1. All parking spaces shall be delineated by the “box” style striping per Section 5.01(D)3 of the Zoning Ordinance.
2. The dumpster enclosure is screened in accordance with Section 3.15 of the Zoning Ordinance.
3. All exterior site lighting be fully shielded and all illumination shall not exceed 1.0 foot candle at the property lines.
4. Storm water retention plans be approved by the City Engineering Department.

YEA: Brown, Eyre, Gaynor, Hanna, Kozakiewicz, Mead, Senesac and Svenson

NAY: None

ABSENT: None

VACANCY: One

The motion was approved 8-0.

7. Communications

None

8. Report of the Chairman

None

9. Report of the Planning Director

2008-09 Budget Goals Presentation

The City Council and City Manager have created a new method for input into the fiscal budgeting process. City Council has asked each Board and Commission to come up with issues which may have a fiscal component to them for consideration and to prioritize those goals. The City is reformatting its budget document. The budget will be formally adopted by City Council in April, 2008. This will communicate to the community what services the city provides and how much those services cost. It will tie city services to community goals. Community input includes the 2004-2005 budget roundtables, out of which came the goals of the City Council. Other public input is issue specific, including public hearings and public comments at City Council meetings, project specific, including the Master Plan "Meetings in a Box" and the Eastman Avenue Design Series, and the annual City Council goal setting exercise. The three City Council goals are 1) to ensure economic sustainability; 2) provide residents with outstanding quality of life amenities and services; and 3) provide effective stewardship of community resources. The Boards and Commissions' role is to provide input for community goals. These should be communicated to City Council prior to the January 2008 goal setting. These will be considered in establishing fiscal priorities. Issues considered should have an immediate financial impact to the budget. Examples of Planning Commission priorities as outlined by the Master Plan may include 1) consulting or contractual services; 2) infrastructure improvements; and 3) capital equipment purchases. The Planning Commission will have two weeks to consider suggestions. Responses are due to the City Manager's office by the end of September. Staff is looking to prioritize 3-5 Commission recommendations.

Motion by Hanna, seconded by Brown to conduct a work session at 6:00 p.m. on September 11th, to discuss the budgeting priorities.

August 27th

PUBLIC HEARINGS & ACTION None.

PLANNING COMMISSION

August 28th

PUBLIC HEARING

1. **Site Plan No. 263** from MSARI Holdings, LLC, a request for site plan review and approval for a 5,800 square foot proposed industrial manufacturing building at 1905 Mark Putnam Road.
2. **Site Plan No. 265** from Bartow & King Engineers, Inc., a request for site plan review and approval for a 12,800 square foot proposed Fitness Park at 601 East Wackerly Street.

ACTION ITEMS

1. **Site Plan No. 261** for Communications Family Credit Union, a request for site plan review and approval for a 6,369 square foot proposed building located at 100 Joseph Drive on 2.04 acres

September 11th

PUBLIC HEARING

1. **2007 City of Midland Master Plan**
2. **Site Plan No. 262** from Three Rivers Corporation on behalf of the City of Midland Currie Golf Course, a request for site plan review and approval for a 11,070 square foot proposed golf cart building located at 1116 Currie Parkway.

3. **Site Plan No. 266** from Wilcox Professional Services, on behalf of The Dow Chemical Company, a request for site plan review and approval for a 103 stall parking lot addition at 3200 James Savage Road
4. **Site Plan No. 264** from MidMichigan Medical Center-Midland, a request for site plan review and approval for a 67,000 square foot proposed addition to the Harlow Drive Building at 4005 Orchard Drive.

ACTION ITEMS

1. **Site Plan No. 263** from MSARI Holdings, LLC, a request for site plan review and approval for a 5,800 square foot proposed industrial manufacturing building at 1905 Mark Putnam Road.
2. **Site Plan No. 265** from Bartow & King Engineers, Inc., a request for site plan review and approval for a 12,800 square foot proposed Fitness Park at 601 East Wackerly Street.

ZONING BOARD OF APPEALS

August 21, 2007 Meeting

No. 07-10 – David Keyser of Dow, Howell, Gilmore, and Associates on behalf of Thomas Feige, Jr. for an area/dimension variance to allow the construction of a new attached garage with a gross floor area of 913 square feet at 1009 West St. Andrews Road. **(approved)**

September 18, 2007 Meeting

No. 07-12 – Chad Rockafellow for an area/dimension variance to allow the construction of a new detached garage with a gross floor area of 1,300 square feet at 4592 Bailey Bridge Road

PENDING ADMINISTRATIVE SITE PLAN REVIEWS

Administrative Site Plan #34 – Midland Community Tennis Center

A 935 square foot “annex addition” and 25 additional parking stalls. The addition includes new restrooms, front entrance, circular drop off area and interior foyer.

DIRECTOR’S NOTES

September 11, 2007 is next the regular Planning Commission meeting.

The public can view the Master Plan Update by accessing the City’s website and going to the Master Plan Update link on the homepage.

The annual Michigan Association of Planning conference is scheduled for October 17-20, 2007. The conference is being held in Traverse City at the Grand Traverse Resort. As a Planning Commission member, you are eligible and invited to attend. The City of Midland will cover the cost of registration and accommodations for up to three commissioners. Please let Deputy Director Poprave or Director Baker if you are interested in attending.

Numerous site plan reviews are on the horizon. Projects include the new \$60 million dollar Harlow wing of the Mid Michigan Medical Center, the Midland Community Center campus project, the Midland County Jail, Mid Michigan Energy Generating Station, and a new 100 stall parking lot for Dow Chemical among others.

Planning staff would like the Planning Commission to consider setting a public hearing to consider the proposed zoning text amendments that have been previously identified and discussed.

Planning Commission packets are now available on-line at the City of Midland’s web site. Meeting agenda items are highlighted and residents can “click” on the link to view all of the supporting documentation.

10. Adjourn

Adjournment at 9:18 p.m. was unanimously approved.

Respectfully submitted,

Keith Baker, AICP

Director of Planning and Community Development

MINUTES ARE NOT FINAL UNTIL APPROVED BY THE PLANNING COMMISSION